

Course Unit	General Theory of Civil Law	Field of study	Law
Bachelor in	Law for Solicitors	School	School of Public Management, Communication and Tourism
Academic Year	2021/2022	Year of study	1
Type	Semestral	Semester	2
Level	1-1	ECTS credits	6.0
Code	9242-317-1205-00-21		
Workload (hours)	162	Contact hours	T - , TP 60 , PL - , TC - , S - , E - , OT 20 , O -

T - Lectures; TP - Lectures and problem-solving; PL - Problem-solving, project or laboratory; TC - Fieldwork; S - Seminar; E - Placement; OT - Tutorial; O - Other

Name(s) of lecturer(s) Maria Joao Mimoso Ferreira Baptista

#### Learning outcomes and competences

At the end of the course unit the learner is expected to be able to:

1. Acquire fundamental knowledge of the general theory of civil law, to be structurally ready for the other course units within the civil law.
2. Develop mental archetypes of the lawyer, specifically with regard to civil law.
3. Consolidate the acquired knowledge in the course unit of Introduction to Law.
4. Have ability to know and learn other areas of civil law.

#### Prerequisites

Before the course unit the learner is expected to be able to:  
Not applicable.

#### Course contents

1. General theory of legal relationship; 2. The subject of the civil legal (of people) 3. The purpose of legal relationship 4. The legal fact; The legal facts in general 5. Legal business and the simple act 6. Legal key elements of the legal fact; Legitimacy and capacity 7. Interpretation and integration of legal affairs 8. Divergence between the will and the declaration 9. Defects of the will 10. The legal Representation in legal affairs

#### Course contents (extended version)

1. Introduction: first definition of civil law
2. The civil Law and private Law and private Law common
3. Portuguese sources of civil law
4. Main principals
5. General theory of civil relationship
6. The subject of civil relationship
7. Personality, subjectivity and legal capacity
8. Start of personality; Termination of legal personality: the death
9. The rights of personality
10. Legal capacity and capacity for the exercise of rights
11. Infancy; legal regime of the accompanied; Accidental disability; Illegitimacy marriage
12. Legal persons
13. The object of the civil relationship
14. The legal fact; concept of legal fact and the simple act
15. Concept of negocial declaration: its importance
16. Interpretation and Integration of legal affairs
17. Divergence between will and declaration
18. Defects of will
19. The legal representation in legal affairs

#### Recommended reading

1. Hörster, H. E. (2019). A parte geral do código civil português - Teoria geral do direito civil. Coimbra: Almedina. ISBN 9789724062655.
2. Mota Pinto, Carlos Alberto, Mota Pinto, Paulo, Pinto Monteiro, António (2020). Teoria geral do direito civil. Gestlegal. ISBN: 9789898951533.
3. Pais de Vasconcelos, P. ; Pais de Vasconcelos, P. L. (2019). Teoria geral do direito civil. Coimbra: Almedina. ISBN 9789724081847.
4. Neiva Santos, M. , Couto, R. , & Ferreira dos Santos, S. (2019). Casos práticos - Introdução ao direito e teoria geral do direito civil. Coimbra: Almedina. ISBN: 9789724078380.

#### Teaching and learning methods

Used methodologies:

Expository method, transmission of information and knowledge (passive), used in structuring matters of the UC;  
Socratic method, formulating a series of questions to the interlocutor, used in all types of classes;  
Inductive, giving priority to reasoning, starts from a number of particular cases to conclude a general truth, used in all classes.

#### Assessment methods

1. normal evaluation - (Regular, Student Worker) (Final)
  - Intermediate Written Test - 35%
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  - Final Written Exam - 30%
2. Exchange students - (Regular) (Final, Supplementary, Special)
  - Presentations - 100% (written work minimum 20 pages)
3. Final exam - (Regular, Student Worker) (Final, Supplementary, Special)

#### Language of instruction

Portuguese, with additional English support for foreign students.

## Electronic validation

Maria Joao Mimoso Ferreira Baptista	Susana Isabel Pinto Ferreira dos Santos Gil	Catarina Alexandra Alves Fernandes	Luisa Margarida Barata Lopes
07-03-2022	08-03-2022	10-03-2022	12-03-2022